

**FILED**

May 11, 2022

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

Sean J. Richardson-Bey  
Post Office Box 8800  
Concoran, California Republic  
CDCR No. T18961  
In Propria Persona

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

1:22-cv-00567-BAM-PC

Sean J. Richardson-Bey,  
Plaintiff,

Civil Action  
42 U.S.C. § 1983

v.

J. Juarez,  
Defendant.

1. JURISDICTION

1. This is a civil action pursuant to 42 U.S.C. § 1983 to redress the deprivation of rights under color of State law secured by the Constitution for the United States of America Republic (North America), and laws thereof. The Court has jurisdiction under 28 U.S.C. §§ 1331 & 1343(a)(3).

2. VENUE

2. The Eastern District of California is the appropriate venue under 28 U.S.C. § 1391(b)(2).

3. PARTY/S

3. Plaintiff Sean J. Richardson-Bey is a Moorish-American National, Human, Flesh and Blood Being, Indigenous, Aboriginal to

the Americas, In Propria Persona, Suo Juris, not pro se, Reserving All My Rights. At all times mentioned herein Plaintiff was a prisoner confined at California State Prison-Corcoran.

4. Defendant J. Juarez is a Correctional Officer employed with the California Department of Corrections and Rehabilitation at California State Prison-Corcoran.

#### 4. STATEMENT OF FACTS

5. On September 29, 2021 during compliance with commands to "GET DOWN" by separation to safe distance from area of activity Plaintiff was administered continuous stream of "ME-9 OC" spray to head/facial area from left flank and rear by Juarez, for what seemed to be, until Plaintiff was definitively in a prone position. On September 30, 2021 Plaintiff awoke with accumulated deposits of the chemical agent secreted or discharged from the right eye, coagulated, sealing the lid shut. After cleaning the eye with water and soap discharge and irritation continued as a feeling of crystallized particles raked across the eye with every blink. Plaintiff was admitted to CTC for treatment to right hand where care provider, upon complaints of discomfort and observation of Plaintiff, initiated examination of the right eye discovering two corneal abrasions cause by chemical burn. Care provider determined irritation to be caused by crystallization of the chemical agent in the right



eye. Care provider performed multiple cleansings to right eye and scheduled Plaintiff for follow-up care with eye specialist. Plaintiff attended specialist care at "Golden State Eye" where upon more thorough examination Plaintiff was diagnosed with "Retinal tear of right eye," November 9, 2021. Plaintiff was prescribed "latanoprost" indefinitely for preventative care. On February 22, 2022 Plaintiff underwent non-invasive laser treatment to repair "Horseshoe" tear in right eye. Plaintiff is under pending care to determine long-term success of treatment having suffered spotty, blurry vision, bright, blinding obfuscation, head-aches, migraines, etc., throughout this process. Evaluation of success and long-term impact, or quality of vision, is ongoing. Furthermore, no legitimate penological interest was served by actions of Juarez as Plaintiff was complying with commands, moving to an open space, posing no perceived threat to Juarez or other Officers respondent who found no cause to do the same. Furthermore, Plaintiff's right eye received direct impact during separation from effort to identify source of emanation by looking toward said direction.

#### 5. CLAIM(S) FOR RELIEF

6. Plaintiff realleges and incorporates by reference paragraphs 1 through 5.

7. Juarez's use of force throughout Plaintiff's compliance with commands constituted Excessive Force and a vio-

1 portion of Plaintiff's freedom from cruel and unusual  
2 punishment under the Eighth Amendment of the  
3 Constitution for the United States of America Republic  
4 (North America) and the 1836 United States-Morocco Treaty  
5 of Peace and Friendship (8 Stat. 484 & Pub. L. 857).

6 6. PRAYER FOR RELIEF

7 Wherefore, Plaintiff respectfully prays this court enter  
8 judgment, against the Defendant in his individual  
9 capacity, granting Plaintiff:

10 8. Compensatory damages in amount of Ten Million dollars  
11 (\$10,000,000) against the Defendant.

12 9. Punitive damages in amount of Ten Million dollars (\$10,000,-  
13 000) against the Defendant.

14 10. Plaintiff's costs in suit.

15 11. A jury trial on all issues triable by jury.

16 12. Any additional relief this court deems just, proper, and  
17 equitable.

18  
19 I declare under penalty of perjury under the laws of the  
20 United States Republic, North America, that the foregoing  
21 is true and correct.

22  
23 Executed on the Fifth day of May, 2022, at California  
24 State Prison-Corcoran.

25  
26 Humbly,  
27 BY ~~S. J. Richardson~~  
28 ~~All Rights Reserved~~  
Sean J. Richardson, Esq.  
In Propria Persona, S. J. Richardson